(a) whether the Prime Minister has pointed out that many State Governments have failed to set up family courts, though it was their obligation to set up at least one family court in every district;

(b) if so, whether it was aimed at adoption of a conciliatory approach in such cases, giving preference to mutual settlement over adjudication by the court;

(c) if so, how many States have not set up these family courts so far;

(d) what are the main reasons;

(e) whether any directive has been issued by the Ministry to these States to set up family courts, to remove backlog in various courts; and

(f) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) Yes, Sir. The Hon'ble Prime Minister, during his address at the Conference of Chief Ministers and Chief Justices of High Courts held on 19th April 2008, mentioned that the Family Court Act, 1984 mandates State Governments to establish Family Courts in urban areas with a population of over one million. Many State Governments have not discharged their legal obligation in this regard.

(b) The Family Courts Act was enacted in 1984 for settlement of family disputes in a congenial atmosphere. The Act makes it obligatory on the part of the Family Court to endeavour, in the first instance to effect a reconciliation or a settlement between the parties to a family dispute. During this stage, the proceedings will be informal and the rigid rules of procedure shall not apply.

(c) and (d) Twelve States/UTs have not set up any family court so far. The Government of Arunachal Pradesh has informed that the State does not have a single town or city whose population exceeds one million and also that all the family disputes are settled as per customary and personal law of the indigenous population of Arunachal Pradesh. Similarly the Government of Goa has informed that there appears to be no requirement for establishment of Family Court in the State. Also, the Government of J and K has informed that since the Family Court Act is not applicable to the State, no family court has been established in the State.

(e) and (f) Chief Ministers/ Administrators of all the State Governments/ Union Territories have been requested to establish Family Courts in all Districts of the country.

Amendment in Representation of People Act

†218. SHRI JAI PARKASH AGGARWAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government proposes to take any steps to keep hardcore criminals out of elections by amending the Representation of People Act, so that such criminals cannot become member of Parliament and State Legislatures;

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†Original notice of the question was received in Hindi.

(b) if so, the details thereof; and

(c) the status of this proposal, as on date?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) to (c) The Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice in its Eighteenth Report on Electoral Reforms (Disqualification of persons from contesting elections on framing of charges against them for certain offences) presented to the Rajya Sabha on the 15th March, 2007 has recommended that suitable amendments may be made in the Representation of the People Act, 1951, so that a proclaimed absconder, declared under section 82 of the Criminal Procedure Code, who willfully remains absconding for a reasonable period of time such as one year prior to the date of revision of electoral rolls, may be considered for disqualification.

Suitable action on the recommendation of the Committee will be taken by the Government at an appropriate time, as part of overall process of reform of electoral laws.

Corruption in Judiciary

219. MS. SUSHILA TIRIYA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that several judges in High Courts/other courts have been found guilty of corruption;

(b) if so, the details thereof;

(c) whether Government proposes to have introspection/review on judicial appointments; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) and (b) The Supreme Court of India has informed that three cases of corruption have so far been considered by the present Chief Justice on India out of which two cases are pending for enquiry and the third case has been referred to the Government.

The judges of district and subordinate courts function under the administrative control of the State Governments/ High Courts.

(c) No, Sir.

(d) Does not arise.

Constitution Review Commission

†220. SHRI SHREEGOPAL VYAS:
SHRI BALAVANT *ALIAS* BAL APTE:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether any committee or commission was ever constituted to review the Constitution; and

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†Original notice of the question was received in Hindi.